

郑州商品交易所指定商品交割仓库管理办法

Measures for the Administration of Designated Delivery Warehouse

of Zhengzhou Commodity Exchange

(郑州商品交易所第五届理事会：2008年1月7日审议通过，自2008年1月15日起施行；2009年3月28日修订，自2009年4月20日施行；2011年10月17日修订，自2011年10月28日施行)

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第一章 总则

Chapter 1 General Provisions

第一条 为加强郑州商品交易所（以下简称交易所）指定商品交割仓库的管理，规范实物交割行为，保证交割正常进行，根据《中华人民共和国合同法》和《郑州商品交易所交易规则》等有关规定，制定本办法。

Article 1 These measures are formulated subject to such as Contract Law of the People's Republic of China and Trading Rules of Zhengzhou Commodity Exchange and other relevant regulations for the purposes of strengthening the management of designated warehouses for commodity delivery by Zhengzhou Commodity Exchange (hereinafter referred to as ZCE), regulating futures delivery activities and ensuring a proper practice of futures delivery in ZCE.

第二条 指定商品交割仓库（以下简称交割仓库）是指经交易所指定的，为商品期货合约履行实物交割提供仓储等服务的经营组织。

Article 2 A designated warehouse for commodity delivery (hereinafter referred to as designated warehouse) shall refer to an operating organization appointed by ZCE which provides services including physical commodities storage for processing futures contract delivery.

第三条 交易所依据本办法对交割仓库进行管理，交割仓库及其有关工作人员应当遵守本办法。交易所对指定商品交割厂库的管理参照本办法对交割仓库的管理执行。

Article 3 ZCE shall manage a designated warehouse in accordance with these measures. The warehouse and its working staff shall comply with these measures. ZCE shall manage a designated factory with reference to these measures.

指定商品交割厂库是指经交易所指定的，从事交易所指定商品生产或贸易等经营业务的，有权为相关商品申请注册厂库仓单的企业法人。

A designated factory shall refer to an enterprise as a legal person appointed by ZCE, which engages in specified commodity production or trade business and also have the authority to apply for the registered factory warrants for relevant commodities.

第二章 申请和审批

Chapter 2 Application and Approval

第四条 申请交割仓库应当具备以下条件：

Article 4 A warehouse applying for becoming a designated warehouse shall meet the following requirements:

（一）工商行政管理部门颁发的营业执照应载明 “仓储” 或 “储运” 业务；

(1) Business license issued by the State Administration of Industry and Commerce shall clearly state the business of storage and transportation;

（二）净资产和注册资本应当达到交易所要求的数额；

(2) Net assets and registered capital shall reach the standard required by ZCE;

（三）财务状况良好，具有较强的抗风险能力；

(3) It shall be in good financial status and have strong anti-risk capability;

（四）具有良好的商业信誉，完善的仓储管理规章制度，未发现严重违法行为记录和被取消交割仓库资格记录；

(4) It shall have good commercial reputation, matured regulations in storage management and have no records of severe violations of laws or records of deregistration of designated warehouse qualification;

（五）承认并遵守交易所的交易规则、交割细则等规定；

(5) It shall accept and obey ZCE's trading rules, delivery rules, etc. ;

（六）仓库主要管理人员应具有相应交割商品的仓储管理经验；

(6) Primary administrative staff of warehouse shall have corresponding experiences in storage management of commodities used for delivery;

(七) 有储存相应交割商品的条件，库容有一定规模，设备完好、计量符合规定要求；

(7) It shall meet requirements of safekeeping the commodities used for delivery; it shall be possessed of such storage yard and storehouse that are of certain scale, qualified to store ZCE's listed product, equipped with sound and adequate facilities and standardized measuring systems satisfying specified requirements;

(八) 有相应交割商品所需要的出入库、储存、管理、检化验等制度；

(8) It shall have relevant systems to receive and dispatch, store, manage and exam the corresponding commodities used for delivery;

(九) 交通便利，具有较强的中转、进出装卸能力；

(9) It shall have convenient transportation, strong abilities for transferring, loading and unloading;

(十) 交易所规定的其他材料。

(10) Other materials required by ZCE.

第五条 申请成为交割仓库应当提供下列材料：

Article 5 A warehouse applying for becoming a designated warehouse shall provide the following materials:

(一) 申请书；

(1) Application form;

(二) 工商行政管理部门颁发的营业执照（复印件）；

(2) Copy of business license issued by the State Administration of Industry and Commerce;

(三) 会计师事务所出具的近两年审计报告或经交易所认可的相关部门审计的年度财务报表；

(3) Audit reports in the last two years issued by a registered accountant firm or annual financial report issued by relevant departments recognized by ZCE ;

(四) 申请单位上级主管部门或董事会出具的同意申请交割仓库的批准文件；

(4) Letter of Approval for applying for being designated warehouse issued by the applicant's superior departments or by its Board of Directors;

(五) 交易所要求的担保文件;

(5) Guarantee documents required by ZCE;

(六) 租赁场房经营的企业, 应提供与场房所有者之间的租赁合同(协议)等文件;

(6) Enterprise working on rental place which have been approved by ZCE shall provide lease contract (agreement) signed with the owner of the place;

(七) 仓库管理制度及简介;

(7) Warehouse management system and its brief introduction;

(八) 交易所要求提供的其他材料;

(8) Other materials required by ZCE;

交易所可根据具体情况, 调整对仓库提供材料的要求。

ZCE could adjust the requirements of materials provided by a warehouse applying for becoming a designated warehouse in accordance with specific situation.

第六条 交易所对交割仓库的审批程序:

Article 6 Approval procedures of ZCE for appointing a designated warehouse:

(一) 根据前条所列材料进行初审;

(1) Pre-exam on the application based on materials listed in the preceding article;

(二) 根据初审结果对申请仓库进行实地调查和评估;

(2) Make field inspection and evaluation in accordance with the result of the pre-examination;

(三) 根据实地调查和评估结果择优选用, 签订交割仓库协议书。

(3) Select warehouses with best results according to field inspection and evaluation, and sign designated warehouse agreement.

第七条 经交易所审定批准，取得交割仓库资格的应当办理以下事宜：

Article 7 The warehouse shall conduct the following procedures to apply for becoming a designated warehouse upon the receipt of ZCE's approval:

（一）申请标准仓单注册所需印章到交易所备案；

(1) The seals for applying for standard warrant registration shall be filed at ZCE;

（二）确定一名负责人主管期货交割业务，建立交割业务机构，指定专人负责期货交割商品的管理，办理标准仓单业务，并将授权书及授权人签字报交易所备案；

(2) Appoint a person to take charge of futures delivery business and set up a department for delivery business; appoint specific personnel to manage commodities futures delivery and handle business related to standard warrants and submit the certificate of authorization and authorized person signature to ZCE for the record;

（三）缴纳交割担保金；

(3) Pay the delivery guarantee deposit;

（四）根据本办法，制定符合交易所要求的操作规程或细则；

(4) Formulate operating regulations or detailed rules in line with ZCE's requirements according to these measures;

（五）交割仓库期货管理人员接受交易所的交割业务培训；

(5) Administrative staff who is in charge of futures delivery business shall attend the delivery business training courses held by ZCE;

（六）交易所规定的其他事宜。

(6) Other matters regulated by ZCE.

第八条 交割仓库放弃交割仓库资格，应当向交易所递交放弃交割仓库资格申请书，并经交易所审核批准。

Article 8 A designated warehouse that gives up its qualification of being a designated delivery warehouse should submit an application letter to ZCE for approval.

第九条 交割仓库放弃或被取消资格的，应当办理以下事项：

Article 9 A designated warehouse who gives up its qualification or whose qualification is terminated shall perform the following procedures:

(一) 交割商品全部出库或全部变成现货;

(1) All commodities used for delivery shall be departed from warehouse or converted to physicals;

(二) 结清与交易所的债权债务;

(2) Settle all debts and liabilities with ZCE;

(三) 结清与会员、客户的债权债务;

(3) Settle debts and liabilities with members and clients;

(四) 按交易所规定清退交割担保金。

(4) Settle delivery guarantee deposits according to ZCE's regulations.

第十条 交割仓库资格的确认、取消或同意放弃资格，交易所应当及时通告会员及交割仓库。

Article 10 As to the confirmation, cancellation or surrender of a designated warehouse qualification, ZCE shall notify members and the warehouse in time.

第三章 权利和义务

Chapter 3 Rights and Obligations

第十一条 交割仓库的权利:

Article 11 Rights of a designated warehouse:

(一) 按交易所规定享有向交易所申请标准仓单注册权;

(1) The right to apply to ZCE for standard warrants registration according to ZCE's regulations;

(二) 按交易所审定的收费项目、标准和方法收取有关费用;

(2) The right to charge relevant fees according to fees leger, standards and methods approved by ZCE;

(三) 对交易所制定的有关实物交割的规定享有建议权;

(3) The right to provide advice on regulations of commodity delivery made by ZCE;

(四) 经交易所核准, 可以租用库房, 存储交割商品;

(4) The right to rent warehouse and store commodities used for delivery upon the approval of ZCE;

(五) 交易所交割细则和交割仓库协议书规定的其他权利。

(5) Other rights in Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange and the designated delivery warehouse agreement.

第十二条 交割仓库的义务:

Article 12 Obligations of a designated warehouse:

(一) 遵守交易所交割细则及其他有关规定, 接受交易所的监管, 及时向交易所提供有关情况;

(1) Comply with Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange and other relevant regulations formulated by ZCE, accept ZCE's supervision and management, and provide relevant information to ZCE in time;

(二) 按规定保管好交割商品, 确保安全;

(2) Keep the commodities used for delivery in good condition according to regulations and ensure the safety of the commodities used for delivery;

(三) 按标准仓单要求及交易所的业务规则提供交割商品, 协助货主安排出库;

(3) Provide commodities used for delivery according to the requirements of standard warrants and business rules of ZCE, and assist commodities owners to arrange dispatch;

(四) 保守与商品交割有关的商业秘密;

(4) Keep the commercial confidential information related to commodity delivery;

(五) 接受交易所组织的年审;

(5) Accept annual audit organized by ZCE;

(六) 缴纳交割担保金;

(6) Pay guarantee deposit for delivery;

(七) 配合并监督指定质检机构取样;

(7) Cooperate with and supervise designated institutions for quality examination and sampling;

(八) 变更单位名称、法定代表人、注册资本、股东或股权结构、仓储场地等, 出现可能危及交割商品安全、法律诉讼等问题, 及时向交易所通报; 发生交割仓库土地或房产质押、对外担保等重大事项, 事先向交易所通报;

(8) When changing the entity name, legal representative, registered capital, shareholder or equity structure and location, in case that there are conditions that may endanger the safety of the delivery commodities, legal proceedings, etc., a designated warehouse shall report to ZCE in time; in case that the land or property of the factory is impawned or guaranteed externally and other similar major events occur, the designated warehouse shall report to ZCE in advance.

(九) 交易所交割细则、标准仓单管理办法和交割仓库协议书等规定的其他义务。

(9) Other obligations in Detailed Rules for Futures Delivery of Zhengzhou Commodity Exchange, Measures for the Administration of Standard Warrants and the designated delivery warehouse agreement formulated by ZCE.

第四章 日常业务

Chapter 4 Daily Operations

第十三条 交割仓库的日常业务分为三个阶段：商品入库、商品保管和商品出库。

Article 13 Daily operations of a designated warehouse shall be divided into three phases: commodity receiving, commodity deposit and commodity dispatching.

第十四条 交割仓库应当保证用于期货交割的商品优先办理入库、出库。

Article 14 A designated warehouse shall ensure that the commodities used for delivery have the priority to be received or dispatched.

第十五条 交割商品的存放应符合国家或品种所属行业及交易所提出的技术规范要求。

Article 15 Storage of delivery commodities shall meet the requirements of technical specifications of the country, the industry and ZCE.

第十六条 交割仓库应当对交割商品实行挂牌管理，挂牌标识应符合交易所规定。

Article 16 A designated warehouse shall conduct listing management for delivery commodities with listing logo in accordance with regulations formulated by ZCE.

第十七条 交割仓库应当按《期货交易管理条例》和交易所的有关规定妥善保存检验结果。商品验收合格、入库完毕起 24 小时内向交易所通报。

Article 17 A designated warehouse shall keep examination results well according to Regulation on the Administration of Futures Trading and relevant regulations of ZCE, and report to ZCE within 24 hours after commodities are checked, accepted and received by the warehouse.

第十八条 未持有《提货通知单》的客户，不得进入库内查看储存的交割商品。小麦、菜籽油客户可以到交割仓库的样品室查看存储货物对应的样品。

Article 18 A client without Delivery Note shall not be allowed to enter warehouse(s) to check commodities used for delivery. The client engaged in wheat and rapeseed oil

trading may view corresponding samples in the sample room of designated warehouses.

样品室的管理应符合交易所规定及要求。交易所不定期对样品保管情况进行抽查。

Management of the sample room shall meet the regulations and requirements of ZCE. Exchange shall check the condition of the sample irregularly.

第十九条 交割仓库对交割商品的存储或堆码方法应符合交易所提出的技术规范要求。未经交易所同意，交割仓库不得擅自改变交割商品的存储或码垛方法。

Article 19 Storage or stacking method of a designated warehouse for delivery commodities shall meet the requirements of technical specifications ZCE. Without ZCE's permission, the designated warehouse shall not be allowed to change the storage or stacking method.

第二十条 存放交割商品的设施应符合规定的条件，保持库区、库内清洁卫生。

Article 20 Facilities used to store commodities used for delivery shall meet the standard of regulated conditions. Designated warehouses shall keep both indoors and outdoors area clean.

第二十一条 交割仓库应按照交割商品的存放和养护要求，以及交割仓库协议书的约定做好交割商品的管理，切实保证交割商品质量和商品安全，并做好储存记录。

Article 21 A designated warehouse shall well manage commodities used for delivery according to requirements of the storage and maintenance of commodities used for delivery and designated warehouse agreement, ensure the quality and safety of commodities, and keep storage records.

第二十二条 未经交易所同意，交割仓库对交割商品存放仓位或垛位不得移动；擅自移动造成的损失，由交割仓库承担全部责任。

Article 22 A designated warehouse shall not be allowed to move position of commodities used for delivery without the permission of ZCE; otherwise, the designated warehouse shall assume all losses incurred from the movement.

第二十三条 货物出库时，交割仓库要及时、认真办理出库手续，做好复核工作：

Article 23 A designated warehouse shall handle the dispatch of the commodities timely and carefully and go through the reexamination work:

(一) 复核《提货通知单》是否有效；

(1) Verify the validity of the Delivery Note;

(二) 核对《提货通知单》与之相对应的货物是否完全相符等内容。

(2) Verify whether the contents stated in the Delivery Note is consistent with the corresponding commodities.

核对无误后，尽快办理出库。

In case of no errors, the factory shall dispatch the commodities used for delivery as soon as possible.

交割仓库应及时向交易所通报商品发运的进度、仓号、货位的变动情况及发运方向等。发运结束后，根据要求向交易所报送相关出库手续。

A designated warehouse shall report the transportation process, warehouse No., the location tracking status and the direction of transportation to ZCE. After completion of the delivery, the designated warehouse shall report relevant procedures for dispatch to ZCE according to the requirements.

第五章 监督管理

Chapter 5 Supervision and Administration

第二十四条 交割仓库应当对库存交割商品全额投保财产险。

Article 24 A designated warehouse shall purchase fully covered property insurance for all commodities in store used for delivery.

第二十五条 交割仓库应当对期货交割商品单独设帐管理。

Article 25 A designated warehouse shall keep independent ledger to manage commodities used for delivery.

第二十六条 交易所对交割仓库实行抽查和年审制度，并可要求交割仓库自查。

Article 26 ZCE shall conduct sampling inspection and annual audit system to a designated warehouse and have the right to require the designated warehouse to conduct self-inspection.

在自查、抽查和年审过程中，发现交割仓库有违规等行为的，交易所可采取限期整改、暂停入库业务、取消交割仓库资格等措施。由此产生的损失由交割仓库承担。

During the process of self-inspection, sampling inspection and annual audit for a designated warehouse, in case that the designated warehouse is found to have violated regulations, ZCE may adopt the measures like ordering the warehouse to make rectification within a prescribed time, pausing the business of commodities' entering warehouse and canceling the designated warehouse qualification. The designated warehouse shall assume all losses incurred from the violations.

第二十七条 禁止交割仓库实施下列行为：

Article 27 The following behaviors shall be prohibited for a designated warehouse:

（一）不按交易所要求对交割商品进行管理的；

(1) Fail to manage the delivery commodities in accordance with ZCE's requirements;

（二）擅自移动或处理交割商品的；

(2) Move or handle delivery commodities without permission;

（三）与会员或客户联手，以虚占库容等方式影响或企图影响期货市场价格的；

(3) Associate with members or clients to affect or intend to affect the price in futures market through methods like occupying warehouse receipt credit phonily;

（四）在未完成入库、未取得检验结果或未完成规定的检验项目情况下，申请注册仓单的；

(4) Apply for warehouse warrant registration without completing commodities' entering the warehouse, obtaining an examination result or completing all examination items;

(五) 交割中滥行收费的;

(5) Overcharge fee in delivery process;

(六) 蓄意刁难客户, 不配合交割商品出入库的;

(6) Create difficulties for clients on purpose; do not cooperate with the commodities' entering or departing from the designated warehouse;

(七) 拒绝、阻挠交易所依法、依规监督检查的;

(7) Refuse or obstruct ZCE to conduct supervision or audit according to laws and regulations;

(八) 弄虚作假, 影响期货交割业务正常进行的;

(8) Practice fraud which affects normal practice of futures delivery;

(九) 违反交易所规定的其他行为。

(9) Other behaviors that violate regulations of ZCE.

第二十八条 交割仓库应当向交易所缴纳交割担保金作为交割仓库履行义务的保证。交割担保金数额和缴纳方式在《交割仓库协议书》上明确。交割担保金利息归交割仓库所有, 按中国人民银行公布的同期银行活期存款利率每年计息一次。

Article 28 A designated warehouse shall pay delivery guarantee deposit to ZCE as the guarantee to perform obligations. Amount and payment method of delivery guarantee deposit shall be defined clearly in Designated Delivery Warehouse Agreement. Interest of delivery deposit shall be owned by the designated warehouse and calculated once a year according to interest rate of deposit money announced by People's Bank of China.

第二十九条 由于交割仓库的原因造成标准仓单持有人不能行使或不能完全行使标准仓单权利的, 交割仓库应当承担赔偿责任; 赔偿不足的部分由交易所按有关规定补充赔偿, 补充赔偿后, 交易所所有权对交割仓库进行追偿。

Article 29 In case that warehouse warrants holders cannot exercise or fully exercise their rights of standard warrants due to the reason of a designated warehouse, the designated warehouse shall assume the responsibility of compensation; insufficient part of compensation shall be supplemented by ZCE in accordance with relevant regulations. After supplementation of compensation, ZCE shall have the right to claim compensation from the designated warehouse.

附则

Supplementary Provisions

第三十条 违反本办法规定的，交易所按《郑州商品交易所违规处理办法》的有关规定处理。

Article 30 ZCE shall handle any violation of these detailed rules in accordance with Measures for Punishment of Regulation Violations of Zhengzhou Commodity Exchange.

第三十一条 本办法解释权属于郑州商品交易所。

Article 31 ZCE reserves the right to interpret these measures.

第三十二条 本办法自 2011 年 10 月 28 日起施行。

Article 32 These measures shall enter into force as of October 28, 2011.

（英文版本仅供参考，具体以中文版本为准。）

(English version is for reference ONLY. Chinese version shall prevail if there is any inconsistency.)